



PUBLIC EMPLOYMENT RELATIONS COMMISSION
Street: 603 EVERGREEN PLAZA BUILDING - 711 CAPITOL WAY
Mail: P.O. BOX 40919 OLYMPIA, WASHINGTON 98504-0919
(360) 753-3444

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OLYMPIA, WA
OCT - 6 2004
PUBLIC EMPLOYMENT
RELATIONS COMMISSION

**PETITION FOR INVESTIGATION OF
QUESTION CONCERNING REPRESENTATION**
[] Amended Petition in Case _____ -E- _____

Instructions: See other side of this form. Applicable Rules: Chapters 10-08, 391-08 and 391-25 WAC.

The petitioner claims that a question concerning representation exists involving certain employees of the employer named below.

1. EMPLOYER City of Washougal
CONTACT PERSON Nabiel Shawa, City Administrator
ADDRESS 1701 C Street
CITY/STATE Washougal, WA **ZIP** 98671
TELEPHONE (.....) **EXT.** **FAX** (.....)
ATTORNEY or
REPRESENTATIVE
ADDRESS
CITY/STATE **ZIP**
TELEPHONE (.....) **EXT.** **FAX** (.....)

2. PETITIONER Washougal Police Officers' Association
CONTACT PERSON Kyle Day
ADDRESS 1709 SW 6th Street
CITY/STATE Battle Ground, WA **ZIP** 98604
TELEPHONE (.....) **EXT.** **FAX** (.....)
ATTORNEY or Mark J. Makler
REPRESENTATIVE Garrettson, Goldberg, Fenrich & Makler, P.C.
ADDRESS 5530 SW Kelly Avenue
CITY/STATE Portland, Oregon **ZIP** 97239
TELEPHONE (503) 226-3906 **EXT.** **FAX** (503) 295-0997

3. INCUMBENT BARGAINING REPRESENTATIVE Indicate:
[] The employees involved are not currently represented for bargaining; or
[X] The employees involved are currently represented by:
ORGANIZATION Office and Professional Employees International Union, Local #11
CONTACT PERSON Michael Richards, Union Repr.
ADDRESS 7931 NE Halsey, Suite 103
CITY/STATE Portland, Oregon **ZIP** 97213
TELEPHONE (503) 257-6691 **EXT.** **FAX** (.....)
ATTORNEY or Same as above
REPRESENTATIVE
ADDRESS
CITY/STATE **ZIP**
TELEPHONE (.....) **EXT.** **FAX** (.....)

4. COLLECTIVE BARGAINING AGREEMENT Indicate:
[] There has never been an agreement covering the employees involved; or
[X] A copy of the current (or most recent) agreement is attached.

5. SHOWING OF INTEREST A petition filed by an organization or employees must be accompanied by a showing of interest showing that the petitioner has the support of 30% or more of the employees in the bargaining unit.

6. BARGAINING UNIT
a. EMPLOYER'S PRINCIPAL BUSINESS Municipal Government
b. DEPARTMENT OR DIVISION INVOLVED Police Department
c. DESCRIPTION OF BARGAINING UNIT Indicate inclusions/exclusions, contract page or case/decision number:
See Article 3, Recognition, of Collective Bargaining Agreement attached hereto.

d. NUMBER OF EMPLOYEES IN BARGAINING UNIT 13
7. DESIGNATION OF REQUEST Indicate:
[] **RECOGNITION REQUEST.** The petitioner claims to represent a majority of the employees involved, and requests certification as exclusive bargaining representative of the bargaining unit.
[X] **CHANGE OF REPRESENTATIVE.** The employees in the bargaining unit desire to change their designation of exclusive bargaining representative, and to designate the petitioner as their exclusive bargaining representative.
[] **DECERTIFICATION.** The employees in the bargaining unit no longer desire to be represented by any employee organization.
[] **EMPLOYER PETITION - DEMAND FOR RECOGNITION.** The employer has been presented with one or more demands for recognition (per attached documentation), and requests a determination by the Commission.
[] **EMPLOYER PETITION - INCUMBENCY QUESTIONED.** The employer has a good faith belief (per attached documentation) that a majority of employees no longer desire representation by the incumbent exclusive bargaining representative.

8. OTHER RELEVANT FACTS Indicate, if applicable:
[] Additional information is set forth on separate sheets attached to this petition form.

9. AUTHORIZED SIGNATURE FOR PETITIONER
NAME (PRINT) Mark J. Makler
SIGNATURE [Signature]
TITLE Attorney **DATE** 10/4/04

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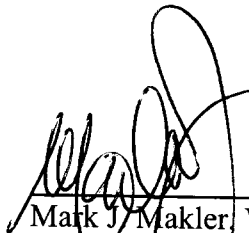
CERTIFICATE OF SERVICE

I hereby certify that on October 4, 2004, I served a true and correct copy of the foregoing **Petition for Investigation of Question Concerning Representation**, by the method indicated below and addressed to the following:

- ☐ Hand Deliver
- ☒ U. S. Mail, First Class, postage prepaid
- ☐ Overnight Mail
- ☐ Facsimile

Nabiel Shawa, City Administrator
Washougal City Hall
1701 C Street
Washougal WA 98671

Michael Richards
Union Representative
OPEIU, Local 11
7931 NE Halsey, Suite 103
Portland OR 97213



Mark J. Makler, WSB #26879
GARRETTSON, GOLDBERG,
FENRICH & MAKLER, P.C.
5530 SW Kelly Avenue
Portland, Oregon 97239
(503) 226-3906

**GARRETTSON
GOLDBERG
FENRICH &
MAKLER, P.C.**

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**Lisa A. Maybee
Of Counsel**
Admitted in OR
email: lmaybee@teleport.com

October 4, 2004

Marvin Schurke, Executive Director
Public Employment Relations Commission
P. O. Box 40919
112 Henry Street NE, Suite 300
Olympia, Washington 98504-0919

Re: Washougal Police Officers' Association
Petition for Investigation of Question Concerning Representation

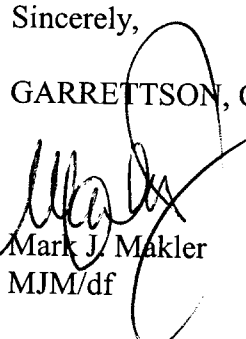
Dear Mr. Schurke:

Enclosed please find an original and one (1) copy of the Washougal Police Officers' Association's Petition for Investigation of Question Concerning Representation, along with the current Collective Bargaining Agreement. Also enclosed are the requisite "showing of interest cards." I have mailed a courtesy copy (without showing of interest cards) to Nabel Shawa, City Administrator for the City of Washougal, and Michael Richards, Union Representative for O.P.E.I.U., Local 11.

If you have any questions or need further information, please contact me.

Sincerely,

GARRETTSON, GOLDBERG, FENRICH & MAKLER, P.C.


Mark J. Makler
MJM/df

Enclosures

- c: Nabel Shawa, City Administrator, City of Washougal (w/o showing of interest cards)
Michael Richards, Union Representative, OPEIU, Local 11 (w/o showing of interest cards)
Kyle Day, Washougal Police Officers' Association

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